

February 2007
CALIFORNIA ENVIRONMENTAL PROTECTION AGENCY
INTEGRATED WASTE MANAGEMENT BOARD

TIRE-DERIVED PRODUCT BUSINESS ASSISTANCE PROGRAM
APPLICATION

FISCAL YEAR 2006/2007



Tire-Derived Product Business Assistance Program (Program)

The Program seeks to improve the operational and cost efficiencies of tire-derived product (TDP) businesses by providing technical and consultative assistance and, where necessary, reimbursement for specifically identified equipment. Eligible businesses may receive assistance grants of up to \$175,000 (See Application Appendices for categories and funding levels) in the form of assistance that may include, but is not limited to:

- General Business Assistance (business plan development or modification, human resource issues, inventory management/control [including just-in-time inventory systems], asset management, appropriate business structure, appropriate or optimal financial structure, accounting systems and controls, website development or modification, ISO 9000 2000 Standards, etc.).
- Technical Assistance (efficient plant design, manufacturing process improvement or optimization, optimizing specific equipment performance, increasing the amount/percentage of recycled material, converting to recycled material from virgin material, etc.).
- Marketing Assistance (marketing plan development or modification, product pricing, product promotion, product packaging, distribution systems, cooperative marketing, ad placement, trade shows, internet marketing, etc.).
- Product Testing and Certification (testing products to satisfy the marketplace requirements of the public and private sectors).

Eligible Applicants

Eligible applicants are for-profit California-based TDP businesses, Qualifying California Indian Tribes and those for-profit TDP businesses domiciled in other states but with an existing or demonstrated commitment to an operational presence in California. Eligible applicants must produce in California, or demonstrate commitment to produce, products made from recycled 100 percent California-generated waste tires.

Eligible subsidiary and/or affiliated businesses that apply for assistance grants will receive initial assessments (limited to two entities per 12 month period), and are limited to a maximum combined assistance of \$175,000 each 12 month period for all related entities. A business is considered an “affiliated business” if it has at least one owner with a 20 percent or greater interest in another applicant business.

Ineligible Applicants/Activities include, but are not limited to:

- Businesses that perform waste tire incineration, pyrolysis, gasification, and/or liquefaction.
- Waste tire collectors and/or haulers: also the tire collection and/or hauling portion of other businesses.
- Businesses, or that portion of a business’ operation, that shred or chip tires for use as Alternative Daily Cover (ADC) or Tire-Derived Fuel (TDF).
- Entities that perform only research and testing and are not in business to produce and/or sell products.
- Wholesalers and/or distributors.
- De novo businesses (from concept stage to less than six months of actual operation/sales).*
- Micro businesses (businesses that produced and/or sold less than 5,000 Passenger Tire Equivalents (PTE) in 2006).*

* *Unless the business has received a Tire Product Commercialization and Applied Technologies grant or a Recycling Market Development Zone loan within the last three years.*

Available Funds

- Up to \$175,000 per eligible applicant (See Application Appendices for categories and funding levels).
- An estimated \$1,700,000 is available for awards (subject to change depending on monies committed for sector and industry-wide activities).
- A maximum of 30 percent of available funds will be reserved for businesses in the startup, small, custom manufacturer, and non-production categories.

The CIWMB reserves the right to not fund any particular project or any part of a project, or not to award any grants.

Assistance grants will be primarily in the form of technical and consultative assistance rather than cost reimbursement. Consult your attorney or tax advisor regarding any tax consequences associated with accepting the assistance grant.

Process

There will be one application period early in 2007 for the 2006/2007 fiscal year funds. The amount of the assistance grants awarded to eligible businesses will be based on available funding, historical tire diversion, business category, and other factors approved by the CIWMB (See Application Appendices for categories and funding levels). Businesses may only be awarded an assistance grant once each 12 months.

Please refer to the Appendices for additional detail regarding the Application, evaluation and assessment process, PTE diversion, assistance and reporting requirements.

Application Submittal Deadline

Applications must be postmarked by **Tuesday, April 3, 2007**. Hand delivered applications will also be accepted at Cal/EPA Headquarters Building located at 1001 I Street, Sacramento, CA until 3:00 p.m. on **Tuesday, April 3, 2007**. Faxed or e-mailed applications will not be accepted. Late applications will be returned and will not be considered for grant assistance.

Applications mailed or sent by U.S. Postal Service or a commercial delivery service should be sent by a means that allows for tracking by the sender and that provides an addressed and dated receipt. Failure to do so is at the risk of the applicant, and if delivery is delayed or the application is lost by the Post Office or delivery service, the burden is on the applicant to demonstrate timely mailing or delivery of the application.

Applications that are hand-delivered:

California Integrated Waste Management Board
Tire-Derived Product Business Assistance Program (BAP)
Financial Assistance Branch, Grants Admin. Unit, MS-19A
1001 "I" Street
Sacramento, CA 95814

Applications delivered by U.S. postal:

California Integrated Waste Management Board
Tire-Derived Product Business Assistance Program (BAP)
Financial Assistance Branch, Grants Admin. Unit, MS-19A
P.O. Box 4025
Sacramento, CA 95812-4025

Applications delivered by commercial carrier:

California Integrated Waste Management Board
Tire-Derived Product Business Assistance Program (BAP)
Financial Assistance Branch, Grants Administration Unit, 19th Floor, MS-19A
1001 "I" Street
Sacramento, CA 95814

Application Checklist

(Submit all attachments in the following order to the back of the completed Application Cover Page)

Public Information:

- ___ Application Cover Page
- ___ Applicant Declarations & Certifications
- ___ General Checklist of Business Permits, Licenses and Filings Form
<http://www.ciwmb.ca.gov/Grants/Forms/CIWMB669.doc>
- ___ Articles of Incorporation, By-Laws, Partnership Agreements, etc.
- ___ Business License and Fictitious Name Statement (if applicable)
- ___ Sample sales brochures and other marketing materials
- ___ Letter of Authorization (See Appendix F)

Confidential/Proprietary Information (Submit together in a separate sealed envelope):

Clearly mark the sealed envelope "BUSINESS ASSISTANCE PROGRAM APPLICATION – CONFIDENTIAL/PROPRIETARY INFORMATION SUBMITTAL – AUTHORIZED PERSONNEL ONLY" Clearly mark each page containing confidential or proprietary information as "Confidential and Proprietary Information."

- ___ Business Financial Information (annual financial statements and first two pages of tax returns and expense detail sheet or Schedule C for a Sole Proprietorship) for the past three years
- ___ Business Plan (if available, even if it is out of date)
- ___ Marketing Plan (if available, even if it is out of date)
- ___ Business Description (see Appendix C)
- ___ Documentation of PTE diversion in 2006 (see Appendix A – PTE Diversion)
- ___ Lease/Purchase Agreement for project site (if applicable)

Note: Documents submitted with this application that are clearly marked "trade secret" or "confidential/proprietary information" will be handled by the CIWMB pursuant to the procedures set forth in Title 14 California Code of Regulations (14 CCR) sections 17041-17046. The mere marking of documents (such as sales brochures, promotional literature and other general non-financial documents) as "confidential/proprietary information" will not result in their being treated as confidential if they do not fall within the categories of protected financial documents listed in 14 CCR section 17046. The CIWMB and all documents submitted to it are subject to the California Public Records Act (Govt. Code sections 6250, et seq.). Refer to the Appendix E for additional information.

Upon completion of the application package, submit a signed original to the California Integrated Waste Management Board (CIWMB) at the address set forth above. The original must be printed double-sided on recycled-content paper containing one hundred percent (100%) post-consumer (PC) fiber. Specific pages containing full color photographs or other ink-intensive graphics may be printed on photographic paper, and the pages should be fastened in the upper left-hand corner. Please do not bind. Missing information received after the deadline set forth below, unless otherwise specified, will not be accepted. Review your application and exhibits for completeness. Substantially incomplete packages will be disqualified.

Question and Answer Process

Questions must be submitted in writing by **Friday, March 16, 2007**, to the address below. Responses will be provided as soon as possible and posted continually on the Frequently Asked Question (FAQ) section of the Program's web site. Similar or related questions may be grouped together or reworded for clarity and responded to as one question.

Note: Periodically check Program's web site for updates at: <http://www.ciwmb.ca.gov/Tires/Grants/TDPBusiness/>

To submit questions, request an application, or for more information:

Web site: <http://www.ciwmb.ca.gov/Tires/Grants/TDPBusiness/>

Email: tiregrants@ciwmb.ca.gov

Phone: (916) 341-6441

Mail: California Integrated Waste Management Board
Tire-Derived Product Business Assistance Program, MS 9A
P.O. Box 4025
Sacramento, CA 95812-4025

Applicant Declarations & Certifications

With respect to each of the following, I/we declare, under penalty of perjury, under the laws of the State of California that all information provided in this application and all information provided in support of this application is true and complete to the best of my/our knowledge and belief. (initial as to each one certified to be true)

_____ **Financial Condition** - I/we authorize the California Integrated Waste Management Board (CIWMB) to obtain business credit reports and conduct any other inquiries deemed necessary to determine the financial condition and regulatory compliance of the applicant business. Each person signing below certifies that he/she is signing on behalf of the applicant business in the capacity indicated next to the signer's name and such signer is authorized to execute this application on behalf of the applicant business.

_____ **Waste Tire Diversion** - I/we also agree to allow the CIWMB to verify the diversion of California-generated waste tires by checking various sources such as suppliers, the California Used/Waste Tire Manifest Program, and waste disposal locations. My/our signature serves as permission to the various sources to release any and all appropriate information regarding my receipt of waste tires, tire shreds, crumb rubber, and/or other material as well as any disposed residual/waste material.

_____ **California Environmental Quality Act** - I/we certify that the business is in compliance with all local, State and Federal laws, regulations, requirements and rules, including the California Environmental Quality Act found in Public Resources Code Sections 2100, et. seq.

_____ **Environmental Justice** - Entities that receive assistance funding from CIWMB for this assistance program must comply with the following principles of Environmental Justice. Environmental Justice is defined in Government Code Section 65040.12(c) as: "...the fair treatment of people of all races, cultures, and incomes with respect to the development, adoption, implementation, and enforcement of environmental laws, regulations, and policies." Public Resources Code Sections 72000(a) & 72001 broadly require all California Environmental Protection Agency boards, departments, and offices to conduct their "programs, policies, and activities that substantially affect human health or the environment in a manner that ensures the fair treatment of people of all races, cultures, and income levels, including minority populations and low-income populations of the state."

I/we certify that, if awarded an assistance grant, it shall, in the performance of the Assistance Grant Agreement, conduct its programs, policies, and activities that substantially affect human health or the environment in a manner that ensures the fair treatment of people of all races, cultures, and income levels, including minority populations and low-income populations of the State.

_____ **Five-Year Annual Reporting** - I/we agree that, if awarded, the business shall provide annual reporting to the CIWMB for at least five years after the end of the assistance grant term. The requirements will include, but may not be limited to: the number of California-generated waste tires diverted; the effect the assistance grant had on the business; key financial information; and other information necessary to evaluate the effectiveness of the Program. The security interest in the equipment purchased with the assistance grant funds will be held for the five-year post-assistance term reporting period.

_____ **Three Year Certification** - I/we certify that, to the best of my knowledge, none of the events listed below has occurred with respect to the applicant within the three years prior to the deadline for this assistance application.

- (a) Disallowance of any and/or all claim(s) to the board due to fraudulent claims or reporting; or
- (b) The filing of a civil action by the Attorney General for a violation of the False Claims Act, [Government Code section 12650](#) et. seq; or
- (c) Default on a board loan, as evidenced by written notice from board staff provided to the borrower of the default; or
- (d) Foreclosure upon real property loan collateral or repossession of personal property loan collateral by the board; or
- (e) Filing voluntary or involuntary bankruptcy, where there is a finding based on substantial evidence, that the bankruptcy interfered with the board contract, subcontract, grant or loan; or
- (f) Breach of the terms and conditions of a previous board contract, grant, loan, or any subcontract for a board agreement, resulting in termination of the board contract, grant, loan, or subcontract by the board or prime contractor; or
- (g) Placement on the board's chronic violator inventory established pursuant to Public Resources Code section 44104 for any owner or operator of a solid waste facility; or
- (h) The person, or any partner, member, officer, director, responsible managing officer, or responsible managing employee of an entity has been convicted by a court of competent jurisdiction of any charge of fraud, bribery, collusion, conspiracy, or any act in violation of any state or federal antitrust law in connection with the bidding upon, award of, or performance under any board contract, subcontract, grant or loan; or
- (i) The person or entity is on the list of unreliable persons or entities, or similar list, of any other federal or California state agency; or
- (j) The person or entity has violated an Order issued in accordance with section 14 California Code of Regulation 18304; or

- (k) The person or entity has directed or transported to, has or accepted waste tires at, a site where the operator is required to have but does not have a waste tire facility permit; or
- (l) The person or entity has transported waste tires without a waste tire hauler registration; or
- (m) The person or entity has had a solid waste facility or waste tire permit or a waste tire hauler registration denied, suspended or revoked; or
- (n) The person or entity has abandoned a site or taken a similar action which resulted in corrective action or the expenditure of funds by CIWMB to remediate, clean, or abate a nuisance at the site.

_____ **Confidential/Proprietary Information** - I/we understand that documents provided in this application and clearly marked as “confidential/proprietary information” (such as business financial information, business plan, marketing plan, business description containing confidential information, project proposal, and lease/purchase agreement) will be handled by the CIWMB pursuant to 14 CCR sections 17041 through 17406. I/we further understand that the CIWMB and all documents submitted to it are subject to the California Public Records Act (Govt. Code section 6250, et seq.).

Any person submitting documents to the CIWMB that he or she assert are “confidential” or “proprietary” shall provide the name, address, telephone number and e-mail address of the individual submitting the information to be contacted if the Board receives a request for disclosure of or seeks to disclose data claimed to be confidential.

_____ **Release and Indemnification** – I/we agree to indemnify and hold harmless R.W. Beck, Inc. and the CIWMB, their agents, subcontractors, employees and assigns from any and all claims or causes of action arising from the Applicant’s use or other activities regarding the information, advice, technical help or other assistance provided to the Applicant. Additionally, as consideration for the assistance provided to the Applicant by R.W. Beck, Inc. and the CIWMB, their agents, subcontractors, employees and assigns, the Applicant agrees that it will not assert any claims or causes of action of whatsoever nature against R.W. Beck, Inc. and the CIWMB, their agents, subcontractors, employees and assigns resulting from, or in any way related to, assistance provided to the Applicant by R.W. Beck, Inc. and the CIWMB, their agents, subcontractors, employees and assigns.

Note: Falsification under penalty of perjury may result in criminal and civil penalties. In addition, pursuant to the terms of the Grant Agreement, any misrepresentation to the above certification shall constitute a breach of contract that could result in non-payment of grant funds to the grantee; relinquishment by the grantee of funds previously paid; and/or placement of the grantee on the CIWMB’s Unreliable Contractors list.

X		
<i>Signature of Authorized Representative</i>	<i>Date</i>	
<i>Print Name and Title</i>	<i>Title</i>	
<i>Address (if different from Application)</i>	<i>Phone</i>	<i>E-mail</i>
X		
<i>Signature of Authorized Representative</i>	<i>Date</i>	
<i>Print Name and Title</i>	<i>Title</i>	
<i>Address (if different from Application)</i>	<i>Phone</i>	<i>E-mail</i>

GENERAL CHECKLIST OF BUSINESS PERMITS, LICENSES AND FILINGS

GRANT APPLICANT/GRANTEE NAME		
GRANT NAME AND CYCLE	GRANT NUMBER	DATE SUBMITTED/UPDATED

Mark (✓ or X) appropriate box on each line below. All lines must be completed.

Note: This list is not all-inclusive. Grant Applicant/Grantee must list other critical permits/licenses/filings not identified below.

Grant Applicant/Grantee currently holds this valid permit/license/filing				
Grant Applicant/Grantee will modify and/or obtain this permit/license/filing				
This permit/license/filing is not applicable for this grant project or business				
LOCAL PERMITS, LICENSES & FILINGS			REGULATOR OR ISSUER	
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Authority to Construct/Permit to Operate	Air Quality Management District
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Building Construction Permit	City or County
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Business License	City or County
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Fictitious Business Name Filing	County
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Land Use Permit/Zoning Clearance/Conditional Use Permit	City or County
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Permit By Rule (PBR) for Permanent HHW Facilities or Temporary Collection Events	City, County or Cal/EPA-DTSC
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Waste Hauler Permit	City or County
STATE PERMITS, LICENSES & FILINGS				
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Antifreeze, Battery, Oil & Paint (ABOP) Notification	CUPA or Cal/EPA-DTSC
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Corporate, Company or Partnership Filings	Ca. Secretary of State
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Hazardous Waste Haulers Permit	Cal/EPA – DTSC
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Industrial Activities Storm Water General Permit	Cal/EPA – SWRCB
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Non-Profit Organization 501 (C) (3)	Ca. Secretary of State
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Prop. 65 Safe Drinking Water & Toxic Enforcement Act	Cal/EPA – OEHHA
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Solid Waste Facilities Permit	Cal/EPA – CIWMB
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	State EPA Identification Number	Cal/EPA – DTSC
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Waste and Used Tire Hauler Registration	Cal/EPA – CIWMB
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Waste Discharge Requirements	Cal/EPA – SWRCB
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Waste Tire Facilities Permit	Cal/EPA – CIWMB
FEDERAL PERMITS, LICENSES & FILINGS				
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	US EPA – Identification Number	US EPA
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	US EPA – NPDES and/or NSR Permits	US EPA
OTHER PERMITS, LICENSES & FILINGS				
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
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